

**INCORPORATED VILLAGE OF PIERMONT
478 PIERMONT AVENUE * PIERMONT, NEW YORK 10968
(845) 359-1258, (845) 359-0466 (fax)**

December 17, 2002

Mr. Karl Gleaves
Office of the Assistant General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
United States Department of Commerce
1305 East-West Highway
Silver Spring, Maryland 20910-3281
Millennium.comments@noaa.gov

Re: Re-routing of the Millenium Pipeline Project in Rockland County, NY

It has come to the attention of the Village of Piermont Board of Trustees that plans are being considered to re-route the Millenium pipeline through land, in particular through Tallman State Park and the Piermont Marsh, that lies within or near the geographic boundaries of the Village of Piermont.

The Village of Piermont agrees with the concerns and objections enumerated by the County Executive, C. Scott Vanderhoef in his letter to you of November 12, 2002 (copy attached). The Village of Piermont also agrees in full with the comments of the Town of Orangetown, as specified in Town Supervisor Thom Kleiner's letter to you of November 26, 2002 (copy attached). The Mayor and Board of Trustees of the Village of Piermont would also like to formally enter our objections to the proposed re-routing of this pipeline for the record.

The entire Village of Piermont has been duly designated as a Critical Environmental Area under SEQRA and its Regulations, and local Critical Environmental Areas have been established under 6NYCRR617 as the Hudson River Palisades Slope Area, the Sparkill Creek Area, and the Piermont Pier Area.

The Village has a long record of protecting it's open spaces and preserving it's critical environmental areas, starting with the Comprehensive Plan of 1974, and encoded in the Village's Local Waterfront Revitalization Plan (LWRP) which was adopted January 7, 1992, which, as our comprehensive master planning document, identifies the character of Piermont as unique and establishes as a goal the preservation of the open space areas including forested hillsides, wetlands, and the Hudson River. The Village is a active member of the Hudson River Greenway Council,

It is the position of the Village of Piermont that any land disturbance, erection, construction, excavation, or installation of the Millennium pipeline within the geographical boundaries of the Village, or within the Piermont Marsh or the surrounding

Mayor Edward Traynor

Trustees Fred Devan, Jamie Howarth, Audie Moran and Vincent O'Brien

Clerk-Treasurer Denise Ehrhart

Village Attorney Walter Sevastian

steep slopes and watersheds shall require approvals from the Board of Trustees, the Planning Board, the Harbor Advisory Commission, and possibly the Zoning Board of Appeals, and will require the issuance of a Building Permit by the Piermont Building Department; which land use application shall, most likely, require a SEQRA Environmental Impact Review.

The Piermont Marsh and the tidal portion of the Sparkill Creek are under jurisdiction of the NYS Department of Environmental Conservation (DEC), and have been declared to be of great environmental significance and fragility by the same. The Piermont Marsh meets the definition of tidal wetland provided in the Tidal Wetlands Act, NY Environmental Conservation Law, Article 25, and the implementing regulations 6NYCCR 661, and has been so codified and identified as an Environmentally Sensitive Site by Village Law (section 112.78.1 of the Village Code).

The Piermont Marsh is the largest brackish wetland on the Hudson and includes about 1,000 acres of tidal marsh and sub-tidal shallows, and was declared part of the Hudson River National Estuarine Research Reserve by the NYS DEC in 1987 in response to passage of the Hudson River Estuary Management Act, Section 11-0306 of the Environmental Conservation Law. The law directed the DEC to develop a management program for the Hudson River Estuarine District and its associated shorelands.

Rare species found in the Piermont Marsh and its surrounding environs include least bittern, osprey, bald eagle, peregrine falcon, and diamondback terrapin. Rare plants include a sedge, button-bush dodder, and saltmarsh bulrush.

The blueprint for implementing this estuarine management program is The Hudson River Estuary Action Plan, first released by Governor George Pataki in May 1996 and most recently updated in 2002. Its principal goals are to protect and conserve natural resources and ecosystem health, clean up pollution and other impairments, and promote public use and enjoyment of the river. The plan specifies concrete objectives to be implemented over a two year period extending through the year 2002. Action Plan projects have already expanded understanding of key species like striped bass and bald eagles, delineated the boundaries and acreage of underwater grass beds, mapped tidal wetlands, inventoried biodiversity in adjacent uplands, upgraded boat launches, and preserved valuable open space on the shoreline.

Further, In New York State three "Estuaries of National Significance" are designated under the U.S. Environmental Protection Agency's (EPA) National Estuary Program. The purpose of the "National Estuary Program" is to promote the development of comprehensive management plans for estuaries of national significance threatened by pollution, development, or overuse. The National Estuary Program was established in the 1987 amendments to the Clean Water Act. The areas covered by the National Estuary Program in New York State include three National Estuary Program designated areas, one of which is:

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NY/NJ Harbor Estuary - The New York New Jersey Harbor Estuary encompasses the waters of New York Harbor and the tidally influenced portions of all rivers and streams that empty into the Harbor. There is a core area which includes the tidal waters of the Hudson-Raritan Estuary from Piermont Marsh in New York State to an imaginary line at the mouth of the Harbor which connects Sandy Hook, New Jersey and Rockaway Point, New York. This imaginary line is known as the Harbor Transect.

Further, the re-routing of the pipeline plan to access the Hudson via Tallman State Park would result in the destruction of a heavily wooded and steeply sloped area in a NY State Park that is extensively and intensely used by many people in the greater NYC metropolitan region. For many people from the urban environment of NYC this heavily wooded park with extensive walking trails is one of few places to enjoy the natural beauty of New York and the Hudson. As County Executive Vanderhoef notes:

“Tallman Mountain State Park will be significantly impacted due to the removal of thousands of mature trees, construction on steep slopes, and crossing of small streams. A number of plants in the Park and Marsh are listed as rare, endangered, or of special concern. The Park is listed on the State Register of Historic Places.”

Tallman State Park is managed by the New York State Office of Parks, Recreation and Historic Preservation, and we would expect that this Office will have serious objections to this plan as well.

Consequently, because of the “super”-environmentally sensitive nature of the Piermont Marsh and its surrounding environs and its protected status, The Village of Piermont recommends that the alternate routes for the pipeline currently being considered should not be chosen.

It is the position of the Village that crossing the Hudson at the Piermont marsh would be in violation of the Coastal Zone Management Act of 1972. The Village feels that the proposed pipeline crossing via the Piermont Marsh fails to comply with New York State’s approved coastal zone management program and thus would not be conducted in a manner consistent with that program. Further, the Village feels that the approvals granted to the Millennium pipeline company do not pertain to this crossing, and that the entire public review and approval process would have to be reopened.

The Mayor and Trustees of the Village of Piermont believe that the Bowline Solution is the right solution for the Millennium Pipeline. Terminating the Millennium Pipeline at the Bowline Facility in Haverstraw allows New York to protect the Coastal Zone and enables Columbia Gas to fix the decrepit A-5 line that makes up 222 miles or 52.9% of the pipelines 420 mile route. This allows Millennium to fulfill its purpose as described to the Federal Energy Regulatory Commission of delivering natural gas to "delivery points in New York State". The Bowline Solution is a viable alternative that

Mayor Edward Traynor

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Clerk-Treasurer Denise Ehrhart

Village Attorney Walter Sevastian

allows Millennium to pursue its goals without destroying our environment and endangering our communities.

The impact on re-routing this pipeline through the more congested southern part of Rockland County, through a extremely significant NYS Park on the national register of historic places, and through an extremely fragile tidal wetlands would be devastating. The permanent destructive impact on property and environment would be extreme. The decisions already made by the FERC that support the existing route selection to Bowline, and the final approvals granted this year for the Hudson River crossing via the Haverstraw Bay would be put aside, and the approval process would be reopened. The overall cost of this delay would be extreme, and certainly is not offset by a potentially shorter route, especially as that shorter route will be contested by every municipality and interested party that the route transects with great energy and determination.

If you wish to review or receive copies of the pertinent provisions of the Code of the Village of Piermont, please feel free to contact our Village Clerk's office.

Sincerely,



Edward Traynor
Mayor

Cc: Scott Vanderhoef, County Executive
R. Allan Beers, Coordinator of Environmental Resources, Rockland County
Thom Kleiner, Supervisor, Town of Orangetown
Director, The New York State Office of Parks, Recreation and Historic Preservation
Village Board
Village Attorney
Senator Hillary R. Clinton
Senator Charles E. Schumer
Congressman Benjamin A. Gilman
Congressman Eliot L. Engel
State Senator Thomas P. Morahan
State Assemblyman (elect) Ryan S. Karben

Attachment: C. Scott Vanderhoef's letter of November 12, 2002
T. Kleiner's letter of November 26, 2002

Mayor Edward Traynor

~~Trustees Fred DeVan, Jamie Howarth, Andie Moran and Vincent O'Brien~~

Clerk-Treasurer Denise Ehrhart

Village Attorney Walter Sevastian

**VILLAGE OF PIERMONT VILLAGE BOARD
MILLENNIUM PIPELINE RESOLUTION
December 17, 2002**

Trustee Vincent O'Brien offered the following resolution, which was seconded by Trustee Audrey Moran and was unanimously adopted:

Whereas, the Millennium Pipeline has been proposed and previously approved to be routed through northern Rockland County and across Haverstraw Bay into Westchester County after careful comprehensive analysis and collaboration with affected communities, and

Whereas, years of public comment and hearings, and environmental impact statements all deemed the crossing of Haverstraw Bay to pose the least threat to the coastal management and coastal water resources, and

Whereas, a new alternative would route the pipeline through environmentally sensitive portions of the Village of Piermont and is a use of land directly conflicting with the Village's Zoning Code and Local Waterfront Revitalization Plan (LWRP), which was adopted January 7, 1992, and

Whereas, the Incorporated Village of Piermont has generated a communication to the United States Department of Commerce (the Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration) to outline the Village's objection to the proposed re-routing of the Millennium Pipeline Project, and

Whereas, the Village of Piermont's initial objections to the re-routing of the Millennium Pipeline Project are contained in the communication generated by the Village of Piermont, which is attached hereto and made a part hereof, and


Whereas, there are numerous and as yet undetermined environmental and potential economic impacts associated with locating the pipeline within property of the Palisades Interstate Parkway, through Tallman State Park and the Piermont Marsh which have not been identified nor analyzed,

Now, therefore, the Village Board of the Village of Piermont hereby declares that it is adamantly and vehemently opposed to any re-routing of the pipeline within the borders of the Village of Piermont or the Town of Orangetown.

Ayes: Trustees O'Brien, Devan, Howarth and Moran. Mayor Traynor

Noes: None

Dated: December 17, 2002


Denise Ehrhart, Clerk-Treasurer

Town of Orangetown

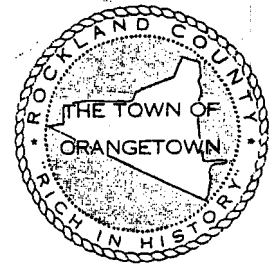
Town Hall 26 Orangeburg Road • Orangeburg, NY 10962

Telephone: (845) 359-5100 ext. 261 • Fax: (845) 359-2623

e-mail: supervisor@orangetown.com

website: www.orangetown.com

Thom Kleiner
Supervisor



November 26, 2002

Karl Gleaves
Office of the Assistant General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
United States Department of Commerce
1305 East-West Highway
Silver Spring, MD 20910

Re: Rerouting of Millenium Pipeline

Dear Mr. Gleaves:

On behalf of the Town Board of the Town of Orangetown, I am writing to elaborate upon our serious concerns regarding the rerouting of the Millennium Pipeline as I outlined in oral testimony at the public hearing on this matter on November 13, 2002.

We were first advised that alternate routes had been proposed for the Millennium Pipeline through the Town of Orangetown by a phone call from Rockland County officials on November 12. We were further informed that the final hearing of the U.S. Department of Commerce for the appeal filed by the Columbia Gas Transmission Corporation was to be held the next day, on November 13.

The Town of Orangetown agrees with the concerns enumerated by the County Executive and Director of Environmental Issues of Rockland County in their public hearing and written testimony, including impacts on public safety and the environment.

In addition, the Town has not been formally apprised of the process or the timetable by which the impacts of the alternate routes through the Town will be identified and analyzed. Our residents want and deserve the same time afforded to Westchester County residents to understand the proposed routes and identify its impacts.

November 26, 2002, page 2

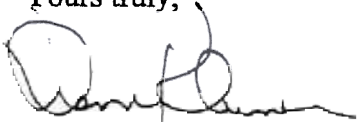
Our knowledge of the location of the proposed alternate routes through Orangetown is extremely limited. We have been presented with a schematic map of Rockland County showing municipal boundaries and major highways at a scale of 1" = 1 mile. The map delineates the proposed routes in a diagrammatic way. At this scale it is not possible to know which properties will be affected nor even which residential roads the routes are adjacent to.

Because of insufficient information, it is not possible to calculate specific impacts. We can surmise that there will be short-term impacts related to construction including commuter and local traffic disruption and rerouting, temporary loss of water or septic services to property and homeowners, and noise from tunneling and blasting through rock. Long-term impacts would include a reduction of buffers along the Palisades Interstate Parkway and destruction of natural habits in Tallman Mountain State Park and the Piermont Marsh.

For all of these reasons, we are requesting additional time to further comment on these matters.

Community concerns to date are outlined in the Town Board resolution attached with this letter. Please advise me of any information that might affect the Town of Orangetown regarding the Millenium Pipeline at the above address or by calling (845) 359-5100, ext. 261. Thank you.

Yours truly,



Thom Kleiner
Supervisor

cc Town Board
 Senator Hillary R. Clinton
 Senator Charles E. Schumer
 Congressman Benjamin A. Gilman
 Congressman Eliot L. Engel
 County Executive C. Scott Vanderhoef
 State Senator Thomas P. Morahan
 Assemblyman-elect Ryan S. Karben

Millenium Pipeline Resolution
Town of Orangetown, Rockland County, New York

Whereas the Millennium Pipeline has been proposed and previously approved to be routed through northern Rockland County and across Haverstraw Bay into Westchester County after careful comprehensive analysis and collaboration with affected communities, and

Whereas years of public comment and hearings, and environmental impact statements all deemed the crossing of Haverstraw Bay to pose the least threat to the coastal management and coastal water resources, and

Whereas a new alternative would route the pipeline through environmentally sensitive portions of the Town of Orangetown, and

Whereas, like the Haverstraw Bay, the Piermont Marsh has been designated a “significant coastal fish and wildlife habitat” by the New York State Department of State, and

Whereas the proposed route through the Town of Orangetown has been mapped only in a schematic manner and is lacking specificity, and

Whereas there are numerous and as yet undetermined environmental and potential economic impacts associated with locating the pipeline within property of the Palisades Interstate Parkway, through Tallman State Park and the Piermont Marsh which have not been identified nor analyzed, and

Whereas the Palisades Interstate Parkway has been designated a National and New York State Scenic Byway in recognition of its environmental, historical and scenic importance to the region, and

Whereas thousands of daily commuters including numerous Orangetown residents using the Palisades Interstate Parkway may experience delays and disruption if construction of the pipeline takes place on the Parkway property, and

Whereas there are public safety and security issues related to the proposed location in close proximity to the existing Tennessee Gas Pipeline, and

Whereas 256 Orangetown homeowners whose property immediately abuts the Palisades Interstate Parkway will be adversely affected by the construction of the pipeline on Parkway property by the permanent removal of the vegetated buffer, by an increase in noise from traffic along the Parkway due to reduced vegetation, by the creation of hazards to the public and by a decrease in property values, and

Now, therefore, the Town Board of the Town of Orangetown hereby declares that it is adamantly and vehemently opposed to any rerouting of the pipeline within Orangetown borders in the absence of a full and comprehensive analysis of all potential adverse impacts and exploration of all possible mitigation measures and approaches to this important matter.



**COUNTY OF ROCKLAND
OFFICE OF THE COUNTY EXECUTIVE**

Allison-Parris County Office Building
New City, New York 10956

Tel. (845) 638-5122
Fax. (845) 638-5426

C. SCOTT VANDERHOEF
County Executive

November 12, 2002

Mr. Karl Gleaves
Office of the Assistant General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
United States Department of Commerce
1305 East-West Highway
Silver Springs, Md. 20910

Dear Mr. Gleaves:

As Rockland County Executive, I hereby enter into record the County of Rockland's strong opposition to the Millennium Pipeline route alternatives relating to Rockland County as suggested by the New York Department of State (DOS).

The Rockland County portion of the Millennium Pipeline was constructed in 2001 by Mirant Energy and is currently in service supplying natural gas to the Bowline Energy Facility. Working with Rockland officials, the pipeline was placed along existing utility corridors to minimize the impact to residents. This segment of the pipeline will be utilized by Columbia Gas as part of the Millennium Pipeline.

The Federal Energy Regulatory Commission has certified the proposed route after four years of exhaustive environmental study. The United States Department of Environmental Protection Agency and the New York State Department of Environmental Conservation have determined that the certificated crossing of the Hudson River at Haverstraw Bay is acceptable.

An analysis of the route alternatives, as recommended by the Department of State, will have permanent significant and adverse effects on the natural and human environment. The following impacts will occur:

Option #1 - Palisades-Dobbs Ferry Route

This NY DOS preferred option would include locating the pipeline in the wooded buffer parallel to the Palisades Interstate Parkway (PIP) originating in the Village of Pomona for approximately 10 miles, crossing Tallman State Park and entering the Piermont Marsh.

Impact to the Palisades Interstate Parkway

- ✓ The Palisades Interstate Parkway is designated a National Historic Landmark and a scenic byway by the New York State Department of Environmental Conservation. The environmental impact to the PIP would be devastating and change forever the scenic beauty of this parkway.
- ✓ The removal of the wooded buffer along the 10-mile portion of the PIP will directly effect the quality of life for several hundred residents whose properties border the parkway. The wooded buffer serves as an essential noise, visual and air pollution abatement barrier to the heavily traveled road.
- ✓ Construction activities adjacent to the PIP will directly impact thousands of motorists who commute on this heavily populated roadway.
- ✓ Heavy equipment necessary for construction of the Pipeline would significantly damage the newly constructed roadway and drainage systems.

Impact to Tallman Mountain State Park and Piermont Marsh

- ✓ Tallman Mountain State Park will be significantly impacted due to the removal of thousands of mature trees, construction on steep slopes and crossing of small streams.
- ✓ A number of plants in the Park and Marsh are listed as rare, endangered, or of special concern.
- ✓ The Park is listed on the State Register of Historic Places.
- ✓ The Piermont Marsh has been designated a Significant Coastal Fish and Wildlife Habitat under the New York State Coastal Management Program. The same designation as Haverstraw Bay.
- ✓ In 1985 the Village of Piermont designated the Marsh as a Critical Environmental Area, pursuant to NYS Environmental Conservation Law (ECL Article 8).
- ✓ The Park and Marsh are listed in the Hudson River National Estuarine Research Reserve.
- ✓ The Park and Marsh are included in the Tappan Zee Scenic District (ECL Article 49).
- ✓ A number of plant and animal species found in the Marsh are federally classified as rare, endangered, or of special concern.
- ✓ The Park and Marsh are state-owned lands within the Piermont Marsh Reserve and are under the jurisdiction of three state agencies.
- ✓ The "lay-barge" technique proposed for Haverstraw Bay may not be usable at this location. This could cause significant environmental disruption to Piermont Marsh and the Hudson River.
- ✓ Significant blasting and excavating would occur in the State Park.

Other Options - The Palisades / CSX Railroad / Route 117 Alternative

These pipeline options would be constructed along the PIP or the CSX railroad corridor crossing the Hudson River at Hook Mountain State Park.

- ✓ The impact to the PIP and CSX would be the same as listed in alternative Option 1.
- ✓ The pipeline would be placed along Route 303 and residents bordering these highways effecting hundreds of residents and businesses.
- ✓ Significant safety issues would arise from the placement of the pipeline along this route.
- ✓ The pipeline would have to be constructed along steep slopes and mountainous terrain.
- ✓ Hook Mountain State Park and Rockland Lake State Park both listed as National Historic Landmarks, would be adversely effected by construction of the pipeline.
- ✓ The rock outcroppings along the Hook Mountain Bike Trail would be removed.
- ✓ Significant blasting and excavating would occur in these two State Parks.

In conclusion, the alternative routes as suggested by the NYS Department of State will have a devastating long-term permanent effect on Rockland County. For the reasons outlined previously, the County of Rockland will take whatever measures necessary to oppose these alternatives.

Sincerely,


C. Scott Vanderhoef
Rockland County Executive

CC: Hon. Thomas Kliener, Orangetown Supervisor
Hon. Charles Holbrook, Clarkstown Supervisor
Hon. Chris St. Lawrence, Ramapo Supervisor
All Rockland County Legislators



MICHAEL J. SPANO
Member of Assembly

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Labor Committee

COMMITTEES
Children and Families
Housing

December 2, 2002

Office of the Assistant General Counsel for Ocean Services
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
13058 East-West Highway
Silver Spring, MD 20910

Re *Millennium Pipeline Route: Coastal Zone Management, Environmental Impact
and Overall Public Safety*

Dear Sir or Madam:

For nearly five years, the proposed Millennium Pipeline has been at the forefront of community concern here in Westchester County. While our tenacious efforts have rendered some victories in creating a more acceptable route, there are still major outstanding concerns that must be addressed and resolved prior to any final approval.

As a New York State Assemblyman representing Westchester County (specifically the City of Yonkers), I would like to take this opportunity to express my strong reservations to the currently proposed Millennium pipeline route and to ask that these valid concerns be properly addressed by revising the proposal to ensure safety, security and environmental protection.

While I certainly recognize the need for additional sources of clean energy, it is unconscionable to sacrifice the health, safety and ecology of Westchester County in an effort to bring forth new energy.

In a fairly recent revelation, the preservation and revitalization of the Hudson River has become a major factor in the proposed route. The New York State Department of State has determined that the route is inconsistent with the policies of the New York State Coastal Management Program and has cited that this pipeline would adversely affect the ecology of the Hudson River.

As a lifelong resident of a City that is blessed with the splendor of the Hudson River Waterfront, I can personally attest to the importance of preserving one of New York's most precious natural resources.

In addition to my commitment to preserving the Hudson River, there are also major components of the State's determination that I find to be very troubling.

The Department of State has specifically cited an adverse affect of the state-designated Haverstraw Bay Significant Costal Fish and Wildlife Habitat; a concern for the drinking water of New York City and Westchester communities; and an inconsistency with the Village of Croton-on-Hudson's Waterfront Revitalization project.

These findings present major environmental, health and safety concerns that must not be overlooked. Any acceptable route must be required to meet the state's water quality standards for the Hudson crossing while ensuring overall community safety.

Since the infancy of this project, I have maintained that any route must not pose a threat to our environment nor should it be allowed to disrupt Westchester's residential neighborhoods or be positioned near school grounds.

Currently, Westchester residents are still faced with a proposal that threatens the Hudson River and our environment while routing the pipeline within 75 feet of the Briarcliff Manor schools.

Clearly, this proposal is unacceptable in its current form and necessitates further discussions and revisions.

In an effort to resolve these issues, I will support a new route that will not travel through Westchester County at all.

It has come to my attention that there is enough capacity in the current lines throughout Westchester County to carry the new clean energy fuel. I am strongly urging you to research the feasibility of using the current lines, which would eliminate the need for the Millennium Pipeline to be routed through Westchester.

On behalf of the residents throughout Westchester County, I thank you for taking the time to review these concerns. As always, please keep me informed of any and all information related to this process.

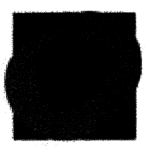
If you have any questions or require further information, please do not hesitate to contact me at 914-779-8805.

Sincerely,

A handwritten signature in black ink, appearing to read "M. J. Spano", written over the word "Sincerely,".

MICHAEL J. SPANO
State Assemblyman
93rd A.D.

NOAA



CATTARAUGUS EMPIRE ZONE CORPORATION
120 N. UNION STREET, OLEAN NY 14760
Phone: (716)-373-9260 Fax: (716)-372-7192
Email: NCURTIS@OLEANNY.COM * WWW.CATTEMPIREZONE.ORG

OS EXECUTIVE SECRETARIAT
2002 DEC 17 PM 12:41

December 3, 2002

The Honorable Donald Evans
Secretary
United States Department of Commerce
14th and Constitution NW
Washington, DC 20230

Re: Millennium Pipeline Project

Dear Secretary Evans:

On behalf of the Cattaraugus Empire Zone (CEZ), Cattaraugus County, New York, I am writing in support of the construction of the Millennium Pipeline Project. The CEZ urges you to uphold the Federal Regulatory Commission's finding that the construction of the Millennium Pipeline Project is indeed in the public's best interest.

The Cattaraugus Empire Zone is a not-for-profit organization that encourages investment and job retention/creation in Cattaraugus County, New York. In addition to the benefits that the millennium project will bring to New York State, Cattaraugus County stands to benefit as well from the construction of the Millennium Project. The economic benefits due to the construction are enormous due to the size of the project; construction companies and contractors will enhance their economic situations, thus improving our county's economy and economic climate.

The Cattaraugus Empire Zone urges you to allow the Millennium Pipeline project to move forward since the project will not only improve our national energy security, but it will also create thousands of jobs and economic development opportunities for business in our county and across New York State.

Should there be anything that we can do on the local level to assist you in allowing this project to move forward, please do not hesitate to contact me at the numbers shown.

Sincerely,

Nicholas A. Curtis
D
C

Cc US Senator Schumer
Congressman Amo Houghton
Assemblywoman Cathy Young
William J. Quinlan, Mayor
James Snyder, CEZ President

US Senator Clinton
State Senator Patricia McGee
Jess Fitzpatrick, Legislature Chairman
Don Benson, Supervisor Town of Allegany



ARDSLEY PARK PROPERTY OWNERS ASSOCIATION, INC.
P. O. Box 93
Ardsley-on-Hudson, N.Y. 10503

OS EXECUTIVE SECRETARIAT
2002 DEC 13 AM 11:04

December 2, 2000

Dear Secretary Evans:

I write on behalf of the Ardsley Park Property Owners' Association ("APPOA") to urge rejection of the proposal by the New York Department of State ("NYDOS") to relocate the proposed Millennium Pipeline from the route previously approved by FERC. APPOA is a neighborhood association representing approximately 250 dwelling units in Dobbs Ferry and Irvington, New York.

One of the alternate routes for the pipeline suggested by NYDOS would traverse land in Dobbs Ferry and Irvington on or abutting properties of our members.

The foundation of the NYDOS proposal is that there are reasonable alternatives to the pipeline route previously approved by FERC as the best route. NYDOS reached that conclusion, we understand, without any formal review process, including any review of the environmental impact on lands (other than coastal zones) through which the pipeline might pass. Not surprisingly, therefore, the NYDOS proposal is significantly flawed in a number of fundamental respects.

The FERC-approved route was determined after exhaustive review of the environmental and engineering concerns affecting the Hudson River, its coastlines and the various local communities. The pipeline company (Columbia) and FERC agree that the FERC-approved route is the best from all perspectives. Specifically, the FERC-approved route, according to both FERC and Columbia, minimizes and mitigates all environmental issues from an engineering and scientific perspective to the greatest extent possible while simultaneously minimizing the impacts on citizens in the communities along the route.

By contrast, the alternate route through Dobbs Ferry and Irvington (we do not comment on the other NYDOS-

proposed alternate routes) suffers, we believe, from the following massive defects:

(1) according to Columbia, it is not feasible from an engineering perspective;

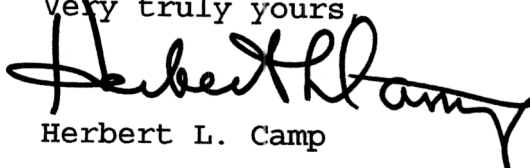
(2) the alternate route (following an existing Tennessee pipeline constructed 30+ years ago) would traverse high density residential housing, churches and schools, many of which would be subject in whole or part to condemnation; and

(3) critical environmental resources would be devastated, including the Piermont Marsh Coastal Fish and Wildlife Habitat (on the west side of the Hudson), the Wickers Creek area in Dobbs Ferry.

Note also that of the many (12 or more) proposals now pending to bring much needed natural gas to the New York metropolitan region, the Millennium proposal is the only one which traverses Westchester County and its sensitive watershed and coastal zones. In that context it makes no sense whatsoever to alter the FERC-approved route to put the pipeline in an even more densely populated, more environmentally sensitive area.

We therefore respectfully ask that you determine that the NYDOS proposals are not consistent with the Coastal Zone Management Act and that you determine that the FERC-approved route is so consistent.

Very truly yours,



Herbert L. Camp

The Honorable Donald Evans, Secretary
United States Department of Commerce
14th and Constitution, N. W.
Washington, DC 20230

Copies to Mayor Dennis P. Flood
Village of Irvington
85 Main Street
Irvington, NY 10533

Mayor Brian D. Monahan
Village of Dobbs Ferry
112 Main Street
Dobbs Ferry, NY 10522

Hon. Hillary Clinton,
U. S. Senator
780 Third Avenue
New York, NY 10017

Hon. Nita Lowey
U. S. Congress
222 Mamaroneck Avenue, Suite 310
White Plains, NY 10605

Hon. Nick Spano
New York State Senator
1 Executive Boulevard
Yonkers, NY 10701

Governor George Pataki
State Capitol
Albany, NY 12220

Hon. Charles Schumer
U. S. Senator
750 Third Avenue
New York, NY 10017

Hon. Elliot Engel
U. S. Congress
655 East 233rd Street
Bronx, NY 10466

Mr. Eliot Spitzer
Attorney General
The Capitol
Albany, NY 12224



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Gavin J. Donohue, *Executive Director*

November 30, 2002

OS EXECUTIVE SECRETARIAT
2002 DEC 17 PM 12:44

The Honorable Donald Evans
Secretary
United States Department of Commerce
14th and Constitution NW
Washington, DC 20230

Re: Appeal of Millennium Pipeline concerning the Coastal Zone Management Act

Dear Secretary Evans:

We are writing you in support of the appeal filed by Millennium concerning the consistency of the Millennium Project with the Coastal Zone Management Act.

For the reasons set forth below, we believe that the Millennium Project is critical to support new energy generation and the reliability of competitive gas supply in New York State and the nearby Northeast region. We also believe that all alternatives to the route certificated by the Federal Energy Regulatory Commission (FERC) have been exhaustively evaluated and that there are no reasonable alternatives to the route certificated by the FERC. Accordingly, we respectfully urge you to act favorably upon Millennium's appeal.

The Independent Power Producers of New York is an association representing more than 100 companies involved in the development of generation, marketing and sale of electric power and natural gas in New York state. We are concerned about the impending energy crisis facing New York due to inadequate electric generation capacity and the underlying pipeline infrastructure needed to support baseload generating facilities. Given the intensive focus on air quality issues when permitting new generation facilities, natural gas is the fuel of choice for nearly all new projects. Commercial viability of these projects depends, in part, upon the availability of gas supply and the infrastructure to deliver that gas supply to the new generation facilities. We agree with the conclusions of the FERC, several New York state agencies responsible for energy issues, and other private organizations that have studied this issue that new gas infrastructure such as the Millennium Project is critical to energy reliability and security in New York State.

After four years of exhaustive environmental study, the FERC has granted a Certificate of Public Need and Necessity to the Millennium. This represents an endorsement of the market need for

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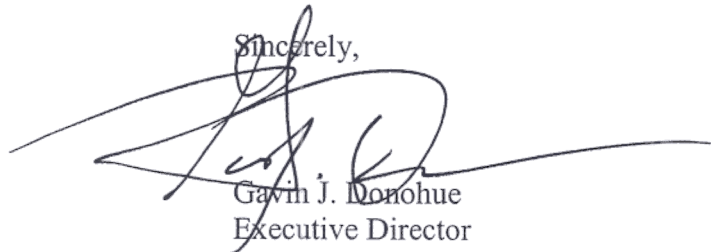
the project, and a demonstration that the pipeline can be constructed in an environmentally-sensitive manner.

With an understanding of the Hudson River's sensitivities, multiple options were studied by Millennium, the FERC and several environmental agencies before the certificated route was deemed the preferable option given the various environmental trade-offs in siting a major interstate pipeline. In reaching its conclusion, FERC carefully weighed all environmental considerations, balancing the temporary impacts on the Hudson, as well as the impacts on the communities on either side of the river.

Understanding the critical immediate needs for new generation and pipeline capacity in New York, especially in the metropolitan New York City markets, we believe this project clearly represents a component of national energy security.

New York consumers will never experience the full benefits of a competitive and reliable energy market without sufficient generation capacity and the supporting natural gas infrastructure to fuel those facilities. On behalf of the generating industry, we ask that you take action to allow Millennium to be completed.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gavin J. Donohue', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gavin J. Donohue
Executive Director

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Roosevelt**

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Daniel B. Kuriloff, M.D.

Associate Director, Otolaryngology, Head and Neck Surgery
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Associate Professor of Clinical Otolaryngology
Columbia University College of Physicians & Surgeons

The Honorable Donald Evans
Secretary
United States Department of Commerce
14th and Constitution NW
Washington, DC 20230

November 25, 2002

**Re: Millennium Pipeline-New York Department of State's Proposal to Change
Initially Approved Pipeline Hudson River Crossing**

Dear Secretary Evans:

Our community in Irvington New York has just learned through various sources, documents and public hearings concerning the Millennium Pipeline, that the New York Department of State ("NYDOS") has an appeal now pending before the United States Department of Commerce. The NYDOS has asserted, without a formal review process from an engineering and/or environmental perspective, that there are "reasonable alternatives" to the **approved** pipeline crossing of the Hudson River, one of which is the "**Dobbs Ferry/Irvington**" crossing. This option, which the NYDOS asserts is one of the preferred routes through Westchester County, appears to be based solely on a perceived lesser impact on the "coastal zone" but is clearly without any consideration of a much greater impact on other environmental and community concerns.

It is my understanding that for over four years there has been a formal review process involving an in-depth analysis to determine which of more than a dozen potential pipeline routes through Westchester County would be most tenable. The pipeline crossing of the Hudson River at Havestraw Bay was certified by the Federal Energy Regulatory Commission (FERC) as the best route from numerous perspectives including engineering concerns, mitigation of environmental impacts, including marine and other wildlife, minimal disruption and/or demolition of private and commercial properties, as well as dangers to the local communities concerned. The original site for the Hudson River crossing was consistent with the policies of the Coastal Zone Management Act (CZMA) and in fact, other agencies including the US Environmental Protection Agency and the New York Department of Environmental Conservation have concurred that the original certified crossing is acceptable and remains the best option.

Continuum Health Partners, Inc.

Beth Israel

**St. Luke's
Roosevelt**

**Long Island
College Hospital**

**NY Eye & Ear
Infirmary**

The pipeline company (Columbia Gas) itself continues to assert, as does the Federal Energy Regulatory Commission, that the certified river crossing *minimizes and mitigates all environmental issues to the extent possible from an engineering and scientific perspective while simultaneously minimizing the impacts to the citizens in the respective communities along this route.*

In a preliminary review of the alternative route it appears that there are significant and permanent impacts to the Hudson River, wetlands and to communities both to the east and west which appear to be far greater than that of the certified Hudson River crossing. Furthermore, the alternate proposed route through Dobbs Ferry and Irvington appears to have significant obstacles from both an engineering and/or construction standpoint, facts not disclosed in the NYDOS briefing. In fact, Columbia Gas has publicly stated that the Dobbs Ferry/Irvington route is not feasible, and it has retained an engineering concern (Baker Engineers) in Elmsford (Home office, Beaver, PA) to support the non-feasibility of the Dobbs Ferry/Irvington crossing.

This alternate route would involve construction along the Palisades Parkway in Rockland County impacting nine other municipalities not previously affected. Crossing the Hudson River between Tallman Mountain State Park would have significant additional environmental detriments. When entering the Village of Dobbs Ferry, the pipeline would need to parallel an existing Tennessee Gas pipeline that enters Westchester County near the Irvington/Dobbs Ferry municipal border. This existing pipeline, constructed more than 30 years ago, now has residential and commercial structures in high density along either side. This includes new housing, schools and churches arranged in a manner that construction of an additional pipeline is not physically possible without considerable disruption and destruction of our community. Literally hundreds of homes currently unaffected by the Millennium pipeline will be relegated to condemnation. The impact to our community would be devastating and is unthinkable.

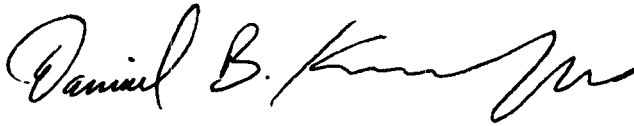
Furthermore from an environmental standpoint, Columbia Gas feels that the Dobbs Ferry/Irvington Crossing will threaten the Piermont Marsh Coastal Fish and Wildlife Habitat on the Rockland County side, and the Wickers Creek area at Dobbs Ferry. I am also told that the Millennium Pipeline as proposed, while feasible, would receive NYDOS endorsement if it were relocated a mere mile north of the current certified route through Haverstraw Bay.

I and all of the members of our community are shocked that the NYDOS would propose this alternative route without consulting either property owners or elected public officials of our community, and without having performed a prior, in-depth feasibility study comparing the proposed alternate route to the certified route. There is already an established process for determining routing for projects such as this pipeline, and the Federal Energy Regulatory Commission spent more than four years studying a wide range of possibilities before certifying a route through Westchester County.

The U.S. Department of Commerce has been petitioned to determine this project's consistency with the policies of CZMA. I respectfully submit to you, that it is inappropriate for the NYDOS to suggest that a better solution is to create unacceptable impacts to my community when a viable route has already been established & certified, with little or no impact relative to the new route proposal.

In conclusion, I request that the Dobbs Ferry/Irvington alternate be withdrawn and not be considered either now, or in the future.

Respectfully yours,



Daniel B. Kuriloff, M.D., FACS
Associate Director
Otolaryngology-Head & Neck Surgery
St. Luke's-Roosevelt Hospital Center, New York
Associate Professor, Columbia University College of Physicians & Surgeons

✓ Cc:

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Hon. Elliot Engel

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Hon. Dennis Flood